

REMARKS

Claims 1 and 5-18 are pending.

The Office Action rejects claims 1-18 under 35 USC 102(e) over Iwatani (US Pat. 6,629,512). This rejection is respectfully traversed.

Iwatani does not disclose the intention determination element determines that the driver intends to start driving the vehicle when at least one of the following is fulfilled: (i) a condition that a shift lever is shifted to a position enabling the vehicle to be driven, and (ii) a condition that a vehicle speed has exceeded a predetermined speed, as recited in claims 1 and 14, and the corresponding method recitation in claim 15. These claims no longer recite a condition that the accelerator pedal is depressed, and hence the Advisory Action indication of “pedal operation” is not relevant to the current claims (although Applicants still maintain that Iwatani does not disclose this element).

The Advisory Action further refers to Iwatani as disclosing the transmission gear ratio as starting the preheat timer at col. 37, lines 39-41, and refers to the transmission gear ratio as inherently disclosing a shift lever position. According to this feature of the invention, it is determined that the driver intends to start driving the vehicle when the shift lever is shifted, typically to a D (drive) range, R (reverse) range or B (brake) range by the driver (the B range is an engine brake or a regeneration brake, not a parking brake). In contrast, Iwatani discloses that the gear change ratio of the transmission is controlled in addition to the start timing of each of the heat supplied bodies. The transmission gear ratio of Iwatani is not operation of the shift lever such as to a D, R or B range. Further, even if it were considered such, Iwatani does not disclose to use the gear change ratio in order to determine that the driver intends to start driving the vehicle as required by the claims.

Iwatani does not anticipate the claims for the reasons stated above. Withdrawal of the rejection is requested.

In view of the above, Applicant's submit that the application is in condition for allowance. Prompt consideration and allowance are solicited.

The Examiner is invited to call the undersigned at (202) 220-4200 to discuss any information concerning this application.

The Office is hereby authorized to charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,



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